

Virginia Juvenile Justice And Delinquency Prevention
Advisory Committee



2002 Annual Report

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Juvenile Justice and Delinquency Prevention Advisory Committee

Introduction

This Annual Report of the Virginia Juvenile Justice and Delinquency Prevention (JJDP) Advisory Committee describes its activities for fiscal year 2002, July 1, 2001 to June 30, 2002. It includes funding priorities, details about awarded grants, recent data patterns in juvenile justice, and data concerning Virginia's monitoring of the four core requirements of the JJDP Act. The Report also describes briefly other grant programs and activities of the Virginia Department of Criminal Justice Services related to children, some of which are overseen by other State advisory committees.

Members of the Virginia Juvenile Justice and Delinquency Prevention (JJDP) Advisory Committee are appointed by the Governor¹. Membership requirements are specified in the federal Juvenile Justice and Delinquency Prevention Act². The Committee is composed of individuals who are knowledgeable about the prevention and treatment of juvenile delinquency and the juvenile justice system. It includes representatives of local law enforcement and juvenile justice agencies, state and local government, prosecutors, counsel for children and other citizens, including youth.

The Committee is responsible for reviewing the operation of the juvenile justice system in Virginia, for recommending needs and priorities for the development and improvement of the juvenile justice system, and for advising the Governor on matters related to the Juvenile Justice and Delinquency Prevention Act.

The Advisory Committee reports to the Criminal Justice Services Board, the governing board of the Virginia Department of Criminal Justice Services (DCJS), in an advisory capacity. The Advisory Committee makes recommendations to the Criminal Justice Services Board on awards under two federal JJDP Act grants: Title II Formula Grants and Title V Delinquency Prevention Grants³.

¹ *Code of Virginia*, § 9.1-111

² *Juvenile Justice and Delinquency Prevention Act of 2002*, 42 U.S.C. § 5633, Sec. 223 (a) available online at <http://ojjdp.ncjrs.org/about/appendixa1.html>.

³ As of February, 2003, the Committee, now the Virginia Advisory Committee on Juvenile Justice, also makes recommendations on Juvenile Accountability Block Grants.

Virginia Juvenile Justice and Delinquency Prevention Advisory Committee⁴

Citizen Appointees

Mr. Henry N. Azais <i>Manassas, Virginia</i>	Ms. Iris B. Jessie * <i>Norfolk, Virginia</i>	Professor Robert E. Shepherd, Jr. * <i>Richmond, Virginia</i>
Ms. Gwen Beattie ** <i>Richmond, Virginia</i>	Supervisor Mary K. Hill <i>Woodbridge, Virginia</i>	Mr. Patrick H. Sweet III * <i>Richmond, Virginia</i>
Ms. Emily M. Bryant * <i>Fairfax, Virginia</i>	Ms. Susan C. Laughrun <i>Hampton, Virginia</i>	Mr. Wayne Thomas <i>Richmond, Virginia</i>
Mr. Guy Cousins ** *	Dr. Jay W. Malcan * <i>Richmond, Virginia</i>	Mrs. Ruby G. Turner * <i>Richmond, Virginia</i>
Mr. Lloyd C. Dunnavant, Chair <i>Midlothian, Virginia</i>	Mr. Charles Martin * <i>Charlottesville, Virginia</i>	Judge Sharon Breeden Will <i>Richmond, Virginia</i>
Mr. Michael Farley <i>Goochland, Virginia</i>	Sheriff Robert J. McCabe * <i>Norfolk, Virginia</i>	Mr. Justin Wilson ** *
Mr. Aaron S. Foldenauer **	Chief Dennis A. Mook * <i>Newport News, Virginia</i>	Ms. Gina E. Wood * <i>Alexandria, Virginia</i>
Mr. Russell Foot <i>Chesapeake, Virginia</i>	Mr. Ty F. Parr <i>Chester, Virginia</i>	
Mr. Matthew Gowin ** *	Mr. Daniel L. Plaughter ** *	

Legislative Appointees

The Honorable Janet D. Howell <i>The Virginia Senate</i> <i>Reston, Virginia</i>	The Honorable Robert F. McDonnell <i>Virginia House of Delegates</i> <i>Virginia Beach, Virginia</i>
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State Government Representatives

Dr. Jo Lynne DeMary, <i>Superintendent</i> <i>Virginia Department of Education</i> (Proxy: Dr. Lissa Power-deFur)	Mr. Jerrauld Jones, <i>Director</i> <i>Virginia Department of Juvenile Justice</i> (Proxy: Ms. Lynette Greenfield)
Mr. Maurice Jones, <i>Commissioner</i> <i>Virginia Department of Social Services</i> (Proxy: Ms. Cathleen Newbanks)	Dr. James S. Reinhard, <i>Commissioner</i> <i>Virginia Department of Mental Health,</i> <i>Mental Retardation, & Substance Abuse Services</i> (Proxy: Ms. Pamela Fitzgerald-Cooper)

⁴ Includes members as of the end of the 2002 fiscal year, June 30, 2002 and new members appointed between July 1, 2002 and October 30, 2003.

* new member

** Denotes youth member. Youth members must be younger than age 24 at the time of their appointment.

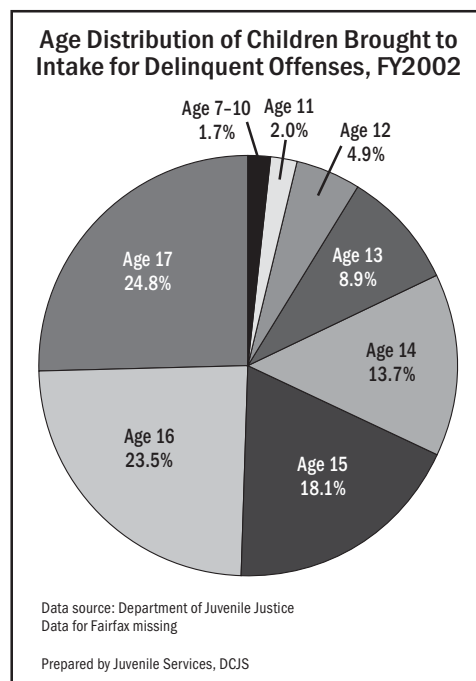
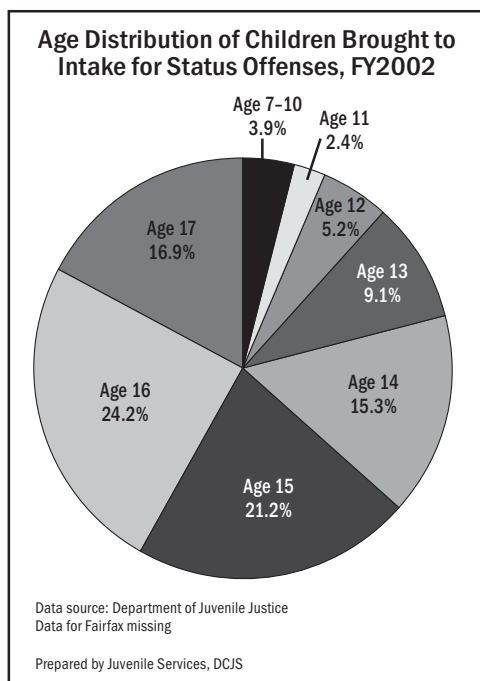
Data Patterns and Activities in Virginia's Juvenile Justice System

In the 2001 Annual Report, information was presented about very young offenders, truants, and confinement of juveniles. Those issues continue to be priorities in the 2002 fiscal year. In this report, the most current available data are presented and information about activities undertaken during the 2002 fiscal year is provided.

Young Juvenile Offenders

In 2001, there had been a marked increase in the number of young juvenile offenders in the juvenile justice system, particularly in the early stages of the system. The stages discussed in this report are Juvenile & Domestic Relations court service unit intake, juvenile secure detention, and juvenile correctional centers. Over the period 1995 to 2000, the percentage of children aged 13 and under brought to intake for status offenses⁵ had more than doubled and those brought to intake for delinquent offenses had increased by over 50%. Although the increasing trend has stopped, the numbers and percentages of young children in the juvenile justice system continue to be a priority issue.

The age distribution of children brought to intake for status offenses and for delinquent offenses is shown in the graphs below.



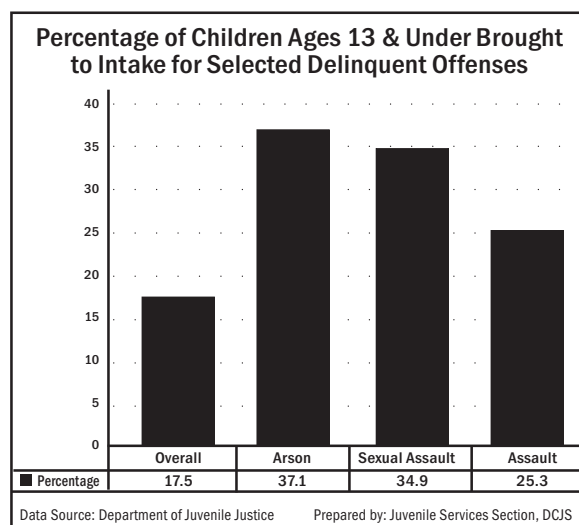
⁵ Status offenses are offenses because of the minor status of the child and would not be offenses for adults. They include offenses such as truancy and running away.

Juvenile Justice and Delinquency Prevention Advisory Committee

As the graphs show, about one-third of children brought to intake are aged 14 and under. About 15-20% are aged 13 and under. For the status offenses shown in the left graph, these percentages represent about 2,000 cases aged 13 and under and another 1,600 aged 14. For delinquent offenses shown on the right, the percentages represent 7,700 cases aged 13 and under and another 6,000 aged 14.

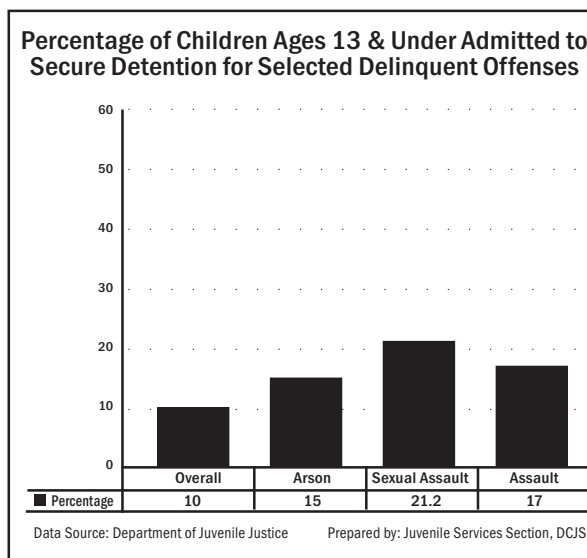
At the secure detention stage, about one-quarter of admissions are of children aged 14 and under. That represents about 1400 (10%) of children aged 13 and under and another 2,200 (13.4%) who were aged 14. Of the commitments to juvenile correctional facilities, 41 (3.5%) were aged 12 or 13 and 111 (9.4%) were aged 14.

Some of these children are in the juvenile justice system for quite serious offenses. These are depicted graphically below.



The left graph shows the percentages of children aged 13 and under brought to intake for arson, sexual assault and assault. Overall, 17.5% of children brought to intake for delinquent offenses are aged 13 and under. However, over one-third of children brought to intake for arson and sexual assault are aged 13 and under; and one-quarter of children brought for assault are aged 13 and under. As the right graph below shows, a similar pattern is shown for admissions to secure detention facilities.

When children aged 14 are included in the percentages the differentiation is more dramatic. At the intake stage, over half of children brought in for arson and for sexual assault are aged 14 and under. At the secure detention stage, over forty percent of admissions for sexual assault are of children aged 14 and under and about one-third of admissions for arson and assault are aged 14 and under.

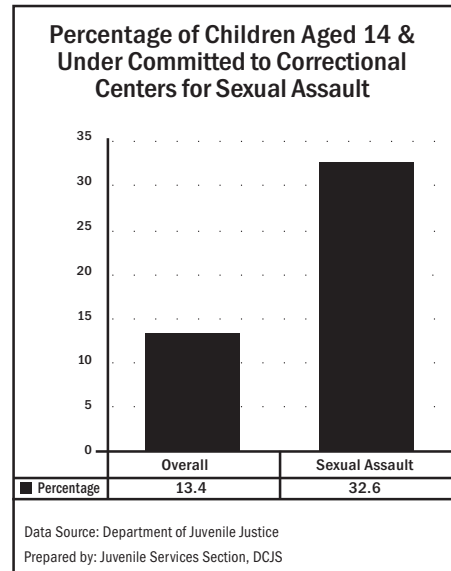


The next graph shows the percentage of children who are committed to correctional centers for sexual assault who are aged 14 and under compared to the total percentage committed who are aged 14 and under. One-third of those youth committed for sexual assault are children aged 14 and under.

Activities Undertaken in Response to the Data

In response to the increase in very young offenders, the Juvenile Justice and Delinquency Prevention (JJDP) Advisory Committee and the Juvenile Services Section, DCJS, have taken several steps. As reported in the last Annual Report, the Juvenile Services Section published a report, *Risk and Protective Factors for Delinquency*, which continues to be distributed and is available online at <http://www.dcjs.org/juvenile/publications>. The Advisory Committee and the Juvenile Services Section also held a series of focus groups to solicit input.

As a result of the data and the input, the JJDP Advisory Committee undertook the Young Juvenile Offenders Initiative for Title II Formula grants beginning in fiscal year 2002. This initiative was designed to address the increase in young juveniles in contact with the juvenile justice system. Its target group is children aged 13 and under. Six Young Juvenile Offender demonstration grants were funded across Virginia. Two are in rural regions of the Commonwealth. The first grant period was for 18 months, with a possibility of continuation. Each funded grant project will participate in a cross-site evaluation. More detailed information about the individual grants is in the *Juvenile Justice and Delinquency Prevention Grant Programs, Title II Grants*, section of this Report.



Truancy

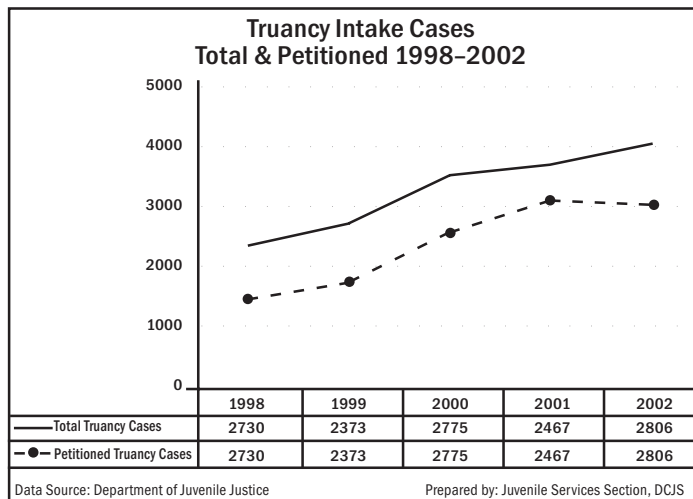
In 1999, a legislative change⁶ designed to address chronic truancy resulted in an increase in the numbers of children brought to intake for truancy and an increase in the number petitioned to court. These increases are depicted graphically.

In the five-year period shown in the graph, the number of truancy cases brought to intake has increased by 71%. About $\frac{3}{4}$ of truancy cases are petitioned to court.

Although the intent of the legislation is to hold a child and their parents accountable for school attendance, the legislative change is impacting judicial workload and docket, more seriously in some localities than others.

Truancy cases are included in those cases categorized as status offenses. Those are offenses such as tobacco violations or run-

ning away from home that would not be offenses for an adult. They are offenses because of the child's minor status. Overall, of cases petitioned to court where the only offense is a status offense, truancy cases account for almost half.



Activities Undertaken in Response to the Data

Title V continuation grants to Alexandria, Buckingham County, Newport News, Petersburg, and Waynesboro were designed specifically to address truancy. Title II continuation grants to Fairfax County, Orange County, Rocky Mount and Smyth County provide supervision for truants or resources in schools to combat truancy.

Under the Challenge Grant program, DCJS entered into an agreement with the Virginia Department of Education beginning in the 2001 fiscal year. In 2002, the Department of Education subcontracted with Roanoke City schools to plan and implement the first statewide truancy forum, *Addressing Truancy on Little or No Budget*. As a result of the forum, the development of a needs assessment instrument is underway.

The Challenge Grant also provides funding for the continuation of local meetings of the Superintendents/Judges Liaison Committee in the superintendents' eight regions. This provides a forum for superintendents of schools and juvenile court judges to address matters of mutual concern. Truancy often emerges as a primary issue.

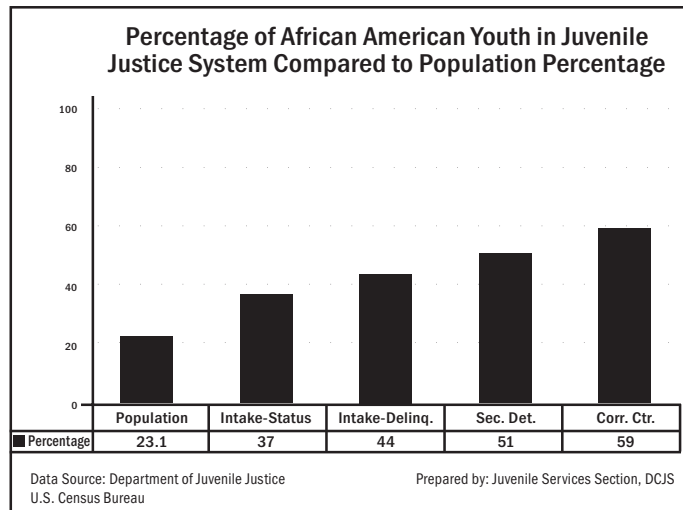
⁶ In 1999, the Code of Virginia was amended to require that each school go through a prescribed series of steps to handle truants. The final step is a petition to court. One intended consequence of the law was to eliminate the practice of punishing truants by expulsion. It also requires schools to attend to truants before their behavior becomes chronic.

Disproportionate Minority Contact

In Virginia, as is true nationwide, minority children are over-represented in secure detention facilities and in juvenile correctional facilities. Throughout the juvenile justice system, African American youth are over-represented, relative to their percentage in the juvenile population.

They constitute just 23% of the juvenile population, but 37% of intake status offenders, 44% of intake delinquent offenders, 51% of secure detention admissions, and 59% of commitments to juvenile correctional facilities.

Thus, as one moves deeper into the juvenile justice system, the percentage of African American youth increases.



Activities Undertaken in Response to the Data

Addressing disproportionate minority confinement is one of the core requirements of the Juvenile Justice and Delinquency Prevention (JJDP) Act. It is an ongoing problem in Virginia and nationwide. Virginia has used a variety of strategies to reduce minority overrepresentation at all stages of the juvenile justice system.

In the 2002 fiscal year, the Juvenile Services Section produced a fact sheet, *Reducing Minority Overrepresentation in Virginia's Juvenile Justice System*. The Fact Sheet describes the problem in Virginia, outlines the activities that Virginia has undertaken to address the problem, and provides a list of resources that will assist localities to address the problem in their communities. The fact sheet was printed and distributed widely to juvenile justice professionals and other interested parties in the Fall of 2002. It is also available on the DCJS web site at <http://www.dcjs.org/juvenile/publications>.

As reported in the 2001 Annual Report, the Juvenile Services Section, DCJS, has designed a *Juvenile Justice System Demographics* web page that provides ready access to state and local population, intake, and confinement data by race. Web page counts indicate that the site is accessed frequently. It can be accessed through the Juvenile Services Section main page at <http://www.dcjs.org/juvenile> (click on the *Juvenile Justice System Demographics* menu).

The DCJS Juvenile Services Compliance Monitor provides training and assistance to local officials and detention staff to ensure that they are aware of the four core requirements of the JJDP Act including the necessity of addressing disproportionate minority confinement.

DCJS Title II and Title V grants administered through the Juvenile Services Section require compliance with the four core requirements of the JJDP Act, including addressing disproportionate minority representation.

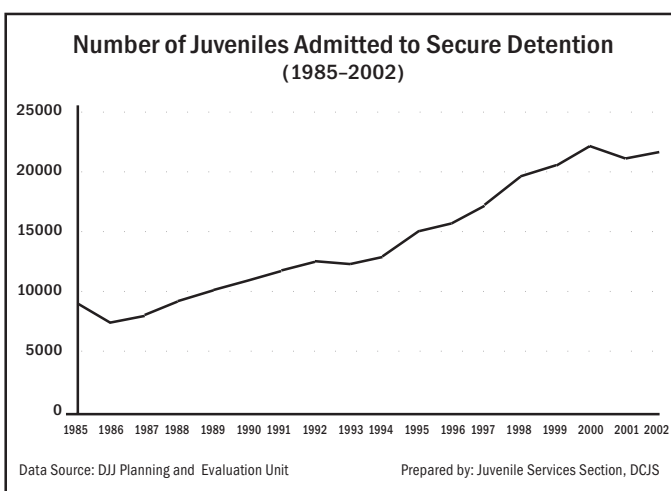
The Virginia Community Policing Institute provides cultural awareness training to local police departments throughout the State. The 2002 General Assembly passed legislation⁷ requiring DCJS to publish a policy or guideline to expand the compulsory training standards for police officers to ensure awareness of cultural diversity and the potential for biased policing.

The Department of Juvenile Justice has developed a race-neutral risk assessment instrument for use at Intake, the *Detention Assessment Instrument*, which is designed to determine whether Department of Juvenile Justice Intake workers should recommend that a child be detained. Statewide use of the instrument began in October, 2002.

Increased Numbers of Children Detained

Eighteen years of data are available for the number of juveniles admitted to secure detention facilities.

The graph shows a linear increase in the number of children confined in secure detention facilities. Many of these children are confined, not for new offenses, but for technical violations such as probation violations.



Over the 18-year period, the number of admissions to secure detention facilities has more than doubled from 9,143 in 1985 to 21,727 in 2002, as shown in the graph. These data include multiple admissions of the same juvenile. In 2002, 12,703 juveniles were admitted, 8,078 more than once.

In Virginia, about 75% of juveniles are held in secure detention for less than 21 days. Approximately 95 percent are pre-dispositional⁸.

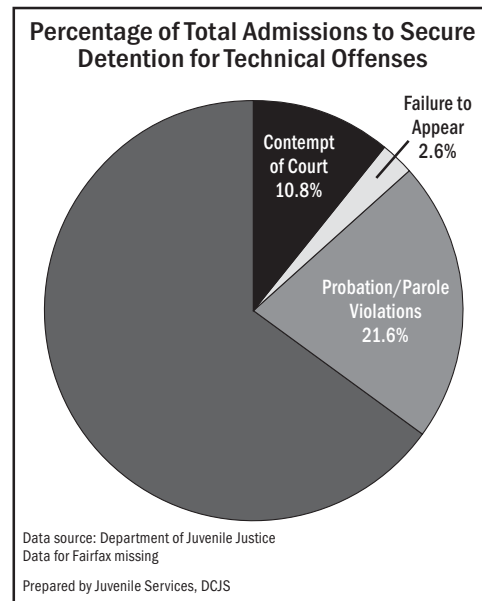
⁷ Va. Code Ann § 9.1-102(40&41).

⁸ Virginia Dept. of Juvenile Justice (2001). *Juvenile detention: What's going on in Virginia: Utilization of pre-dispositional juvenile detention in Virginia, Fiscal Year 2000*. Richmond, VA.

Confinement for Technical Violations

One of the reasons for the large number of children detained is confinement for technical violations. Technical violations include probation/parole violations, contempt of court, violations of a court order, and failure to appear in court. As depicted in the graph, in secure detention facilities, technical violations represent the largest category of detention admissions.

In 2002, technical violations represented 35% of admissions to secure detention facilities.



Activities Undertaken in Response to the Data

The 2002 General Assembly passed legislation⁹ to preclude confinement of juveniles in secure detention facilities for probation violation when their original offense was a status offense. This legislative change is expected to reduce the number of juveniles in secure detention facilities.

As indicated under the Disproportionate Minority Contact data, the Department of Juvenile Justice has developed a race-neutral risk assessment instrument for use at Intake, the *Detention Assessment Instrument*.

Several Title II continuation grant programs provide alternatives to detention. Fauquier and Prince William counties have restorative justice programs. Bristol and Norfolk have weekend incentive and sanction programs. Loudoun County has supervised weekend community services for postdispositional youth and Wise County's graduated sanctions program provides increased service options.

⁹ Va. Code Ann. § 16.1-248.1(A1).

Juvenile Justice and Delinquency Prevention Grant Programs

Virginia participates in three grant programs under the Juvenile Justice and Delinquency Prevention (JJDP) Act: Title II Formula Grants, Title V Prevention Grants, and Title II Challenge Grants.

The JJDP Advisory Committee reviews and comments on each of the Title II and Title V grant applications. It then makes funding recommendations to the Criminal Justice Services Board, which has final authority to award these grant funds. The Advisory Committee also approves the priority areas for use of Challenge Grant funds.

Title II Formula Grants

Title II funds are allocated to states based on their youth population under aged 18. To receive funds, states must be in compliance with the four core requirements of the Juvenile Justice and Delinquency Prevention Act: deinstitutionalization of status offenders, sight and sound separation of juvenile and adult offenders, removal of juveniles from adult jails and lockups, and addressing minority overrepresentation in the juvenile justice system.

Title II funds are awarded to local units of government or state agencies. Virginia's share of Title II funds in fiscal year 2002 was \$1,584,000. In FY 2002, funds were awarded to six first-year and 26 continuation programs.

Title II funds are available for a maximum of five years per program. The Advisory Committee requires a clear description of program accomplishments and evaluation data on which to assess the merits of continued funding. After two years, community participation in funding is encouraged. The table below provides information about each of the funded projects.

As indicated in the 2001 Annual Report, a comprehensive examination of trends in juvenile justice was undertaken in 2001. The examination included analysis of data, publication of a report, *Risk and Protective Factors for Delinquency*, and convening of five focus groups representing interested juvenile justice professionals. Following this period, the Advisory Committee launched the Young Juvenile Offenders initiative. This grant program was designed to foster the development of community-based sanctions and services appropriate for children under the age of 14 and to reduce the number of these children penetrating deeper into the juvenile justice system. In 2002, new Young Juvenile Offender grants were provided to six communities to undertake projects that would specifically address the needs of these young offenders. Funds were set aside for cross-site evaluation of the projects. The new programs are listed below followed by the continuation Title II grants.

Title II Formula Grants Awarded Fiscal Year 2002		
Locality/Agency Project Title Contact	Amount of Award	Project Description
First Year Young Juvenile Offender Grants		
Charlottesville Young Juvenile Offender Program Rory Carpenter 434.970.3054	\$135,710	Assess the juvenile justice service system continuum; develop risk and needs assessment tools; create a multi-disciplinary screening team; establish a pool of service funds; and develop an evaluation process to track the child/family outcomes of each referral. For adjudicated youth under age 14.
Fairfax Co. J&DR Court Young Juvenile Offender Program James S. Dedes 703-246-3343	\$156,023	Develop a comprehensive, family-based intervention for high-risk adjudicated delinquent and CHINS offenders under age 14. Expands the continuum of services available for high-risk youth.
Gloucester Young Juvenile Offender Program Middle Peninsula-Northern Neck CSB Dr. J. Patrick Dorgan 804.695.1767	\$136,898	Assessment, intensive case management and mental health treatment for adjudicated juvenile offenders under age 14. Multidisciplinary teams determine a course of sanctions and develop individualized services plans for each young offender.
Newport News/Hampton Young Juvenile Offender Program Larry Robinson 757.926.8717	\$145,056	Joint Newport News and Hampton communities initiative for juveniles under age 14 and their families to develop problem solving skills, maintain structure and provides access to community resources.
City of Richmond Dept. of Juvenile Justice Services Young Juvenile Offender Program Dr. Nancy Ross 804.646.3763	\$75,000	Comprehensive services to youthful status and delinquent offenders aged 7 to 11 and their families residing in the Bellemeade/ Hillsdale community of the city of Richmond. Interagency service teams located in two elementary schools and public housing project provide services.
Wise Co. Young Juvenile Offender Program Lonesome Pine Office on Youth Paul Kuczko 276-523-5064	\$140,925	Develop and implement a comprehensive system of care and assessment for 50 first-time offending youth under age 14 and their families who reside in rural Lee, Scott, & Wise Counties and the city of Norton. The goal is to reduce recidivism among first-time offenders by 25%.

Juvenile Justice and Delinquency Prevention Advisory Committee

Title II Formula Grants Awarded Fiscal Year 2002		
Locality/Agency Project Title Contact	Amount of Award	Project Description
Continuation Grants (in alphabetical order by locality):		
Arlington Functional Family Therapy John Bazaz 703.228.4360	\$43,074 3rd year	Therapy to adjudicated truant, runaway, and delinquent youth and their families.
Bristol Weekenders & Anger Management Highlands Juvenile Detention Center Tim Dotson 276.669.0818	\$32,084 4th year	Weekend community service and anger management programs in two localities.
Charlottesville Juvenile Court Assessment Center Delinquency Prevention Project Leila Ann Lawless 434.970.3050	\$16,750 5th year	Assessment center to provide intervention services, sanction plans, and case management for juveniles referred by the court services unit intake team.
Dickenson County Sheriff's Office, Clintwood Law Enforcement Program Donald Viers 540.835.9384	\$4,132 5th year	Law enforcement education program including college-level academic coursework and law enforcement agency placement components for youth aged 14-17. (ILECOP ¹⁰)
Fairfax Residential Services Intensive Aftercare Program Madeline Arter 703.246.3416	\$56,250 3rd year	Intensive aftercare supervision for youth who are returning to the community and their families.
Fairfax County Court Services Unit Maximize Attendance Program (MAP) James Dedes 703.246.3343	\$18,750 5th year	Supervision for chronic adjudicated truants in a school district including school services, case management, parental accountability, school staff contact, classroom shadowing, assignment review, curfew checks, and wakeup for school.
Fairfax/Arlington Barrios Unidos Violence Prevention Project Virginia Polytechnic Institute & State University Clyde Jackson 703.324.5357	\$36,609 4th year	Gang prevention program that provides leadership training, workforce preparation, and conflict mediation for youth age 10 and above in five communities in Fairfax & Arlington counties.
Fauquier Piedmont Dispute Resolution Center Youth Accountability Conferencing Program Lawrie Parker 540.347.6650	\$35,052 3rd year	Restorative justice program provides face-to-face meetings between juvenile offenders, their victims and their respective communities of support.

¹⁰ Originally funded through the Innovative Law Enforcement Community Oriented Policing supplement (ILECOP) which was not reappropriated. Now funded with Title II funds.

Title II Formula Grants Awarded Fiscal Year 2002		
Locality/Agency Project Title Contact	Amount of Award	Project Description
Continuation Grants (in alphabetical order by locality):		
City of Fredericksburg System Improvement Grant William Burke 540.658.1691	\$35,000 3rd year	Juvenile justice planner to evaluate, develop, & implement a comprehensive approach to intervention.
Loudoun Parks, Recreation, & Community Services Weekenders Program Tim Chesnutt 703.777.0398	\$66,531 3rd year	Supervised weekend community service for post-dispositional youth
Manassas Court Services Unit Intensive Supervision Jeffrey Homan 703.792.6214	\$23,775 4th year	Supervision, in-home services and service coordination for high-risk youth who are children in need of services (CHINS) or supervision (CHINSup) ¹¹ , or delinquent and their families.
Norfolk Court Services Unit Functional Family Therapy Walter L. Stone 757.455.6100	\$55,015 3rd year	Short-term intensive in-home therapy with youth who have been convicted of family-related criminal offenses and their families.
Norfolk Court Services Unit Norfolk Juvenile Sex Offender Program Mike Morton 757.664.7667	\$36,890 3rd year	Enhanced supervision and case management system for treating adjudicated sex offenders
Norfolk Court Services Unit Weekend Incentive & Sanction Program Kevin Moran 757.664.7667	\$35,250 4th year	Alternative to formal probation/ parole violation charge for court-supervised youth. Includes 20 hours of supervised weekend activities including community service, counseling, and recreation with the balance of time requiring house arrest and electronic monitoring.
City of Norfolk Post-Traumatic Stress Disorders (PTSD) Program James Davis 757.455.6100	\$8,750 5th year	Training for police officers and mental health professionals to identify traumatized children who have witnessed violent and criminal events. (ILECOP)
City of Norfolk Crisis Intervention Program Claudette Overton 757.664.7667	\$18,652 5th year	Counseling to female children in need of services (CHINS), delinquents, and their families from earliest contact with the juvenile justice system.
Orange County Local Youth Services, Orange Project Return Rebecca Yellets 540.672.0539	\$18,749 5th year	Attendance monitoring, counseling, and case management for court-ordered chronic truants.

¹¹ The Code of Virginia §16.1-228 defines children in need of services and children in need of supervision.

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Title II Formula Grants Awarded Fiscal Year 2002		
Locality/Agency Project Title Contact	Amount of Award	Project Description
Continuation Grants (in alphabetical order by locality):		
Petersburg Police Athletic League Program Morris Jones 804.863.2702	\$6,222 5th year	Tutoring, recreation, self-defense, educational programs, employment skills, computer tutoring for youth. For parents, a support group, parenting skills classes, computer training. (ILECOP)
City of Portsmouth Delinquency Prevention Project Sheriff Gary Waters 757.393.5461	\$8,246 5th year	Community-based crime prevention officer to prevent delinquency, reduce truancy, and promote positive youth development. Works in concert with neighborhood groups and the court services unit. (ILECOP)
Prince William County Restorative Justice Program Vickie Shoap 703.792.4753	\$16,437 4th year	Restorative justice program to conduct accountability conferences for offenders and victims to permit restitution and reparation to victims.
City of Richmond Youth Police Academy William Smith 804.646.7491	\$8,749 5th year	Introduces youth to community-oriented police principles. Involves youth in developing and implementing crime prevention/civic activities. (ILECOP)
Roanoke Sanctuary Crisis Intervention Center Aggression Replacement Training & Education Carol Wright 540.977.3324	\$52,714 3rd year	Teaches anger control management skills to juveniles before the court for assaultive offenses and supervises practice of these skills in home and community. Parental participation required.
Rocky Mount Police Dept. School Liaison Officer Don Brown 540.483.9275	\$7,789 5th year	School liaison officer who serves as a truancy officer. (ILECOP)
Smyth County Office on Youth, Marion School Resource Manager Program Norma Teaters 276.783.3298	\$13,750 5th year	School resource manager and tutor to provide case management, attendance and grade monitoring, service referral, tutoring.
Wise County, Wise Graduated Sanctions/ Continuum of Services Paul Kuczko 540.523.5064	\$33,950 4th year	Develop and implement a graduated sanctions program in four rural localities to increase services and accountability for its juvenile offenders.
Wythe County Sheriff's Office, Wytheville Juvenile Coordinator Sheriff Kermit Osborne 276.223.6001	\$6,901 5th year	Juvenile coordinator to investigate juvenile crimes, coordinate referrals, and track juvenile offenders to reduce the incidence of juvenile crime. (ILECOP)

TITLE V PREVENTION GRANTS

Title V of the JJDP Act provides a source of funds for states to award grants to communities for delinquency prevention and early intervention programs. Grantees must be in compliance with the four core requirements of the JJDP Act, have an approved comprehensive delinquency prevention plan, and provide a match, either cash or in-kind, of at least 50% of the federal dollars awarded. Title V funding was first available in Virginia in 1995. Localities are eligible for up to 36 months of Title V funding. As is true for the Title II program, the JJDP Advisory Committee requires a clear description of program accomplishments and evaluation data on which to assess the merits of continued funding.

Virginia was awarded \$639,000 in Title V federal funds for fiscal year 2002. Title V funds were awarded to localities to address needs identified in their Three-Year Comprehensive Community Delinquency Prevention Plan. In prior years, localities applying for grants have been encouraged to replicate model programs. This year, proposals replicating model programs were a requirement for grant applicants.

Four localities received first year grant funding, three localities received second-year funding, and ten localities received third year funding. The following table provides information about each of the funded projects.

Juvenile Justice and Delinquency Prevention Advisory Committee

Title V Prevention Grants Awarded Fiscal Year 2002		
Locality/Agency Project Title Contact	Amount of Award	Project Description
First Year Grants (in alphabetical order by locality)		
Portsmouth Friends/BBBS Mentoring Program Debra R. Steiger 757.397.2799	\$65,000	School based mentoring program for middle school youth involved with the court system (probation, the Juvenile Conference Committee, or the Diversion Counselor). <i>Model program: Big Brothers/Big Sisters.</i>
Stafford Co. Court Services Unit Strengthen Families Program Carolyn Barger 540.372.1068	\$24,770	Early family intervention to divert delinquent and Child in Need of Services (CHINS) or Supervision (CHINSup) complaints. <i>Model Program: Strengthening Families.</i>
Tazewell Co. VCVA-START - Striving Together to Achieve a Rewarding Start Debra A. Johnson 540.988.5583	\$65,000	Pilot prevention project for at-risk youth aged 11-13 to address the problem that the locality has identified with Oxycontin abuse. <i>Model program: CASA-START</i>
Winchester-Frederick-Clarke Office on Youth & Families Family Intervention Program Winchester Justine B. Rose 540.722.3589	\$64,964	Program to intervene with at-risk children and their families and teach the parents to implement meaningful and effective consequences. <i>Model program: Structural Family Therapy.</i>
Continuation Grants (in alphabetical order by locality):		
Alexandria City Public Schools, Alexandria Project ALERT Dr. Lawrence Joiner 703.824.6616	\$64,499 3rd year	Alexandria Links for Eliminating Recurring Truancies, a collaborative interagency program providing direct service, public education, and advocacy.
Arlington County Bully Prevention and Reduction Arlington Lesley Stuler 703.228.4375	\$54,425 2nd year	Program coordinator to do staff training, participant development, parent education, support of targets, and intervention with bullies. <i>Model program: Bullying Prevention.</i>
Buckingham County Mentoring & Truancy Plan Ossie Harris 804.969.6100	\$58,403 3rd year	Program for at-risk high school students to increase self-esteem, career knowledge, and academic achievement. Provides counseling & mentoring to elementary & middle-school students who are chronic truants & their parents regarding parenting, truancy, & other school-related behaviors.
Colonial Heights Office on Youth & Human Services Community-Based After School Program Eileen McHugh Brown 804.520.9286	\$16,040 3rd year	After-school program for middle-school youth offers mentoring program including pet care, photography, art, and martial arts. Includes parent education program.

Title V Prevention Grants Awarded Fiscal Year 2002		
Locality/Agency Project Title Contact	Amount of Award	Project Description
Continuation Grants (in alphabetical order by locality):		
Hanover County Boys to Men Youth Leadership Development Program Martha Lambert 804.752.4228	\$45,484 3rd year	After-school program for at-risk middle and early high-school boys offers leadership development activities, life skills training, mentoring, educational support, and community service.
Isle of Wight County Office on Youth Reaching Out Bessie Freeman Watson 757.365.6260	\$17,650 2nd year	After school enrichment and life skills training program for at-risk youth.
James City County, Williamsburg Project Legacy and Neighborhood Basketball League Doug Powell 757.259.3113	\$46,112 3rd year	Project Legacy provides programs for youth at high risk for substance abuse including tutoring, life skills education, parent/youth relationship building, and recreation. The Neighborhood Basketball League is designed to promote academic achievement and prevent substance abuse.
Loudoun County Leesburg Youth After School (YAS) Mary Beahm 703.737.8804	\$65,000 3rd year	After-school program for middle-school youth with life skills training, mentoring, and tutoring. Includes parent participation.
Lynchburg Youth & Prevention Services Project Doubleteam Amanda Dudley 434.847.1879	\$8,300 3rd year	Collaborative agency/school/ community program pairs high school athletes and elementary school students for basketball and mentoring.
New Kent County Providence Forge Comprehensive Mentoring Program Reginald Cain, Sr. 804.966.5094	\$53,533 2nd year	Mentoring program to serve youth with risk factors for delinquency.
Newport News Keeping Kids in School Margaret Mahler 757.591.4985	\$32,525 3rd year	Pilot program to reduce truancy in elementary school. Services include mentoring, tutoring, parent education and participation in community programs.
Petersburg Community Day Reporting Center Christine Petri 804.861.4720	\$52,496 3rd year	Community-based center for up to 15 youth who are suspended from middle or high school for up to 10 days.
SWEAT Program Waynesboro Carol Blair 540.942.6757	\$61,860 3rd year	Students Working Effectively Against Truancy program provides tutoring, counseling, and community service activities for suspended youth.

CHALLENGE GRANTS

The purpose of State Challenge grants¹² is to provide initiatives for states participating in the Formula Grants Programs to develop, adopt, and improve policies and programs in any of ten specified Challenge areas. During fiscal year 2002, Virginia focused on two areas: increasing the effectiveness of prevention and intervention efforts aimed at keeping children in school and improving mental health services for juvenile offenders. Virginia's allocation for FY 2002 under the Challenge Grant program was \$182,000.

The Virginia Department of Education subcontracted with Roanoke City schools to plan and implement the first statewide truancy forum. This forum, *Addressing Truancy on Little or No Budget*, was held in Roanoke in May, 2002. The contract with the Department of Education has been extended for a year so that they can complete their planned activities. These activities include an interagency truancy needs assessment survey, publication of survey results on the web, and the development and coordination of training based on assessment results.

In addition to the truancy initiative, this Challenge grant also provides funding for the continuation of local meetings of the Superintendents/Judges Liaison Committee in the superintendents' eight regions. This Committee has provided a forum for superintendents of schools and juvenile court judges to meet and discuss issues related to juveniles, to develop solutions to problems, and to provide recommendations about successful prevention and intervention strategies.

A Challenge Grant project begun in 1995 to the University of Virginia Institute for Law, Psychiatry, and Public Policy (the Institute), provides for policy development, research, training and dissemination of information related to the improvement of mental health, special education, and substance abuse services for juvenile offenders. In the 2002 fiscal year, the project completed a reference and training manual for juvenile justice professionals entitled *Issues of Mental Health Among Juvenile Offenders: Identification, Diagnosis and Treatment*.

¹² The 1992 reauthorization of the JJDP Act of 1974 added Part E, State Challenge Activities, to the programs funded by OJJDP.

Requirements of the Juvenile Justice and Delinquency Prevention Act

To receive funding under the Juvenile Justice and Delinquency Prevention (JJDP) Act, states are required to comply with four core requirements of the Act: deinstitutionalization of status offenders, sight and sound separation of juvenile and adult offenders, removal of juveniles from adult jails and lockups, and reduction of minority overrepresentation in the juvenile justice system.

Virginia has gone beyond the federal requirements for compliance monitoring by creating a system of record-keeping and on-site inspection that ensures that all juvenile facilities are monitored continuously and receive on-site inspection at least annually.

In 1994, the Virginia Juvenile Justice and Delinquency Prevention (JJDP) Advisory Committee developed a policy that limits the grant funding available to any locality that has demonstrated an unjustifiable pattern of compliance violations. A special Compliance Improvement funding category is available to these localities. To access these funds, the locality is required to establish a corrective action plan, agree to self-reporting of all new violations, and be subject to quarterly on-site compliance monitoring inspections until it demonstrates that no violations have occurred for a full calendar year.

Annual training regarding the JJDP Act and the *Code of Virginia* is provided by the Department of Criminal Justice Services to juvenile justice system professionals such as Court Service Unit Directors, Juvenile and Domestic Relations District Court Judges, Detention Home Superintendents, sheriffs, police and other law enforcement personnel. Individual locality training is made available upon request.

The four core requirements are summarized below. Data are provided showing Virginia's compliance with the core requirements.

Deinstitutionalization of Status Offenders

Juveniles who are charged with or adjudicated for conduct that would not be criminal if committed by an adult are status offenders. Neither status offenders nor non-offenders such as abused and neglected children may be placed in secure detention facilities or correctional facilities¹³. Status offenders include, but are not limited to, truants, runaways, and minors in possession of alcohol¹⁴. Violations of the JJDP Act occur when accused status offenders are held in secure juvenile detention centers for more than 24 hours,

¹³ Under the provisions of the Juvenile Justice and Delinquency Prevention Act, status offenders who violate a court order, violate the Youth Handgun Safety Act, or have been held under the Interstate Compact on Juveniles may be placed in secure detention or correctional facilities.

The Code of Virginia was amended in 2002 to permit the placement of juveniles in secure detention for violation of probation or parole only when their original offense was a felony or a Class 1 misdemeanor, not a status offense (Va. Code Ann. § 16.1-248.1(A1)).

¹⁴ In Virginia, possession of alcohol by a minor is a Class 1 misdemeanor offense under Virginia Code §4.1-305. In contrast, under the provisions of the federal Juvenile Justice and Delinquency Prevention Act, possession of alcohol by a minor is considered a status offense (42 U.S.C. § 5633, sec. 223(11)).

excluding weekends and holidays, and when adjudicated status offenders are held for any length of time in secure detention centers or any adult jail or municipal lockup. Under no circumstances may children be placed in secure detention facilities because of abuse and neglect.

Despite prohibitions within the *Code of Virginia*, and federal regulations addressing the deinstitutionalization of status offenders and non-offenders, on occasion violations are recorded. In calendar year 2002, there were 37 violations in Virginia. Five juveniles were adjudicated and placed in secure detention for status offenses in violation of state and federal law. Another 32 juveniles were adjudicated and placed in secure detention for alcohol possession. Although the *Code of Virginia* makes the purchase or possession of alcohol by minors a detainable offense, the Virginia Department of Juvenile Justice has instructed court service unit personnel not to detain youth for alcohol possession charges.

For the 2002 calendar year, Virginia's deinstitutionalization of status offenders violation rate fell well below the allowable federal compliance rate.

In addition, there were detained status offenders who fell under the exceptions provisions of the JJDP Act. There were 60 out-of-state runaway youth placed in secure detention pursuant to the Interstate Compact on Juveniles. Another 229 juvenile status offenders who violated the Youth Handgun Safety Act were placed in secure detention. For violations of court orders, approximately 400 to 500 status offenders were placed in secure detention. In northern Virginia, 15 juveniles were held as federal wards for Immigration and Naturalization Services violations.

Sight and Sound Separation

The JJDP Act provides that no sight or sound contact is permitted between juveniles incarcerated or detained and adult inmates. Virginia law prohibits the placement of a juvenile in any secure adult facility that has not been approved by the Department of Corrections for the detention of juveniles. Sight and sound separation is a requirement for approval. The Department of Criminal Justice Services collaborates with the Department of Corrections' certification team to ensure that uniform standards of sight and sound separation are used throughout the Commonwealth. A facility that exhibits a pattern of violations is subject to losing its certification to hold juveniles from the Board of Corrections. There have been no violations since 1997.

Early in 2003, DCJS was made aware of a policy change by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). There are two categories of persons in Virginia's juvenile detention and correctional facilities who have been sentenced while juveniles but whose sentence may exceed their 18th birthday: those sentenced as juveniles in juvenile court and those sentenced as adults in circuit court and placed in a juvenile facility under Virginia's blended sentencing provisions for juveniles. Past policy permitted contact between juveniles sentenced as adults in circuit court and other juveniles in juvenile facilities. OJJDP's change in policy prohibits contact between juveniles sentenced as adults

who are over age 18 ^{1/2}¹⁵ and other juveniles under aged 18. In Virginia in the 2002 fiscal year, there were 70 persons over the age of 18 ^{1/2} at the Reception and Diagnostic Center or in juvenile correctional centers who were sentenced in circuit court. These persons are now considered adult inmates. Each juvenile who comes into contact with one of these persons is a potential violation of the sight and sound provision. Because of the change in policy, states, including Virginia, will be required to develop a plan to get them into compliance within two years.

The *Code of Virginia* permits co-located facilities, that is, adult and juvenile facilities located on the same site¹⁶. A workgroup with representation from the Departments of Criminal Justice Services, Juvenile Justice, and Corrections has developed compliance and regulatory protocols related to co-located facilities. Each agency has responsibility for different aspects of the facility certification and monitoring. Currently, Virginia has six co-located juvenile detention facilities. Two of these facilities opened in 2002: the Blue Ridge Juvenile Detention Center on the grounds of the Charlottesville/Albemarle Regional Jail in Charlottesville and the James River Regional Juvenile Detention Center on the grounds of the James River Adult Correctional Center in Goochland. There were four existing co-located facilities: Northwestern Regional Juvenile Detention Center, located on the grounds of the Clark, Frederick, Winchester Regional Jail Complex in Winchester; Merrimac Juvenile Detention Center located on the grounds of the Middle Peninsula Regional Jail Complex in Williamsburg; Rappahannock Juvenile Detention Home, on the site of the Rappahannock Adult Regional Jail Complex in Stafford; and Piedmont Detention Commission located on the grounds of the Piedmont Jail Complex in Farmville. All are in compliance with federal and state regulations for co-location of juvenile secure detention facilities.

Removal of Juveniles from Adult Jails and Lockups

Juveniles accused of committing a delinquent act may be held in temporary custody, not to exceed six hours, at an adult jail or lockup for purposes of identification, processing, interrogation, transfer to a juvenile facility, court appearance or release to parents (jail removal). This federal jail removal exception includes six-hour time periods both immediately before and after a court appearance, provided that the juvenile has no sight and sound contact with incarcerated adults during this time¹⁷. The 1998 Virginia legislature revised the Virginia Code, which previously allowed only six hours combined before and after a court hearing, to parallel the federal code. There have been few violations of this requirement; in calendar year 2002, there were seven.

There is one exception to Virginia's law prohibiting the placement of juveniles in jails. Section 16.1-249.E of the *Code of Virginia* allows a judge to transfer a juvenile who is 14 years or older from a secure juvenile detention facility to an adult facility if it is determined that his or her presence is a demonstrated threat to the safety or security of other

¹⁵ A six-month grace period is provided by OJJDP.

¹⁶ A co-located facility is defined as a separate juvenile detention facility, located upon the site of an adult regional facility approved and certified by the Department of Juvenile Justice (*Code of Virginia* §16.1-249(5)).

¹⁷ The JJDP Act of 2002 (effective November, 2003) permits extension of this time for juveniles accused of delinquent offenses who are awaiting an initial court appearance in a jail or lockup that is in a rural area or where conditions of safety do not allow for reasonably safe travel (U.S.C §5633, sec.223 (13B)).

juveniles or staff of the juvenile facility. Under such placements, the separation and supervision requirements for juveniles within an adult facility must be met. The seven violations in calendar year 2002 fell under this exception.

Disproportionate Representation of Minority Youth in Secure Facilities

Under the JJDP Act, states must address the disproportionate representation of minority youth in secure facilities, where such conditions exist. Minority overrepresentation in the juvenile justice system is a national, state, and local problem. In Virginia and nationally, African American youth have been disproportionately represented at all stages in the juvenile justice system in comparison to their proportions in the juvenile population. Virginia has developed a Juvenile Justice System Demographics web page that provides this information. The web page gives access to population, intake and confinement data by race for the state and all Virginia localities at each stage of the juvenile justice system. It is available at <http://www.dcjs.org/juvenile> (click on Juvenile Justice System Demographics).

In Virginia, the data show a potential pattern of racial disparity¹⁸. In the 2000 census, African American youth represented 23% of the Virginia population aged 0 to 17. The 2002 data show that African American youth represent 44% of juvenile delinquent intake cases, 51% of admissions to juvenile secure detention facilities and 59% of commitments to juvenile correctional centers. These data are depicted graphically in the Data Patterns and Activities section of this report. That section also describes the strategies that Virginia has used to reduce minority overrepresentation at all stages of the juvenile justice system.

¹⁸ Data are available online through the DCJS Juvenile Services web page at <http://www.dcjs.org/juvenile> (click on Juvenile Justice System Demographics menu).

Other DCJS Programs for Juveniles

DCJS offers a variety of programs for juveniles that are not under the purview of the JJDP Advisory Committee. Bureau of Justice Assistance Byrne Memorial Fund grants are administered by several DCJS units including Juvenile Services and Crime Prevention & Law Enforcement. In addition to Title II and Title V grants, the Juvenile Services Section administers the Juvenile Accountability and Incentive Block Grant¹⁹, programs for abused and neglected children under the Children's Justice Act, and the Court-Appointed Special Advocate (CASA) program. For further information about Juvenile Services programs, visit the web site at <http://www.dcjs.org/juvenile>.

The Virginia Center for School Safety, school resource officer programs, the Serious Habitual Offender Comprehensive Action Program (SHOCAP), and the McGruff House program are all programs focused on children and administered at DCJS by the Crime Prevention and Law Enforcement Section. Further information about these programs is available on their web site at <http://www.dcjs.org/cple>.

The Juvenile & Family Drug Court Program and the Residential Substance Abuse Treatment formula grant program are administered by the Correctional Services Section, DCJS. Their web site is at <http://www.dcjs.org/corrections>.

The programs listed above are all described in detail in the Service Network Section of *Virginia's Three-Year Plan, 2003-2005*, under the *Juvenile Justice and Delinquency Prevention Act* which is available online at <http://www.dcjs.org/juvenile> (click on Publications and Resources). The document is also available in paper form, on request.

¹⁹ This program is now the Juvenile Accountability Block Grant and is under the purview of the Advisory Committee on Juvenile Justice, the body which replaced the Juvenile Justice and Delinquency Prevention Advisory Committee.

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This document is also available online at www.dcjs.org/juvenile/publications

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